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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/807,517	03/24/2004	Mitchell S. Steiner	P-2762-US3

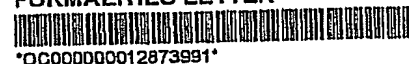
27130  
EITAN, PEARL, LATZER & COHEN ZEDEK LLP  
10 ROCKEFELLER PLAZA, SUITE 1001  
NEW YORK, NY 10020

EPLC  
RECEIVED

07 JUN 2004

CONFIRMATION NO. 3376

FORMALITIES LETTER



\*OC000000012873991\*

Date Mailed: 06/04/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

11/16/2004 RADOFO1 00000126 050649 10807517

01 FC:1001	790.00 DA
02 FC:1201	264.00 DA
03 FC:1202	90.00 DA
04 FC:1051	130.00 DA

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$348 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$1248 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$348
  - \$258 for 3 independent claims over 3.
  - \$90 for 5 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): STEINER, Mitchell S.  
et al. EXAMINER: Not yet known

SERIAL NO.: 10/807,517 GROUP ART UNIT: Not yet known

FILED: March 24, 2004 ATTORNEY DOCKET No.: P-2762-US3

FOR: ISOLATED NUCLEIC ACID ENCODING P-HYDE PROTEIN AND  
METHODS OF INDUCING SUSCEPTIBILITY TO INDUCTION OF CELL  
DEATH IN CANCER

Mail Stop Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND  
PETITION FOR A FOUR-MONTH EXTENSION OF TIME**

Sir:

In response to the Notice to File Missing Parts of Application under 37 CFR 1.53(b), mailed June 4, 2004 (a copy of which is enclosed), Applicant(s) submit herewith the following:

1. ☒ an executed Declaration and Power of Attorney making reference to the above-identified application, and in compliance with 37 C.F.R. 1.63;
2. ☒ replacement application complying with the requirements of 37 CFR 1.821-1.825
3. ☒ initial computer readable form copy of the "Sequence Listing" as well as an amendment directing its entry into the application

A response was due August 4, 2004. Applicant(s) hereby petition for a FOUR-month extension of time. Therefore, a response is now due on December 4, 2004. Accordingly, this Response and Petition are being timely filed.

The Patent Office is hereby authorized to charge Deposit Account 05-0649 in the amount of \$2,804, covering the following:

11/16/2004 AADDF01 00000126 050649 10807517

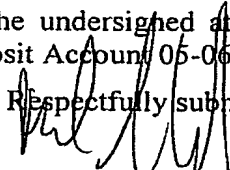
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APPLICANTS: STEINER, Mitchell S. et al.  
 SERIAL NO.: 10/807,517  
 FILED: March 24, 2004  
 Page 2

FEE CALCULATION				
<b>1. BASIC FILING FEE</b>				
	Large Entity Fee	Small Entity Fee		
Utility	\$790	\$395		790
Provisional	\$160	\$80		0
<b>2. EXTRA CLAIM FEES</b>				
Total Claims	25	-20 ** = 5	x 18	= 90
Independent Claims	6	-3 ** = 3	x 88	= 264
		Multiple Dependent	x	= 0
	Large Entity Fee	Small Entity Fee	Fee Description	
	\$18	\$9	Claims in excess of 20	
	\$88	\$44	Independent claims in excess of 3	
	\$300	\$150	Multiple dependent claim, if not paid	
				354
<b>3. Fee for Petition for Extension of Time</b>				
	Large Entity Fee	Small Entity Fee		
	\$110	\$55	Extension for reply within first Month	0
	\$430	\$215	Extension for reply within second Month	0
	\$980	\$490	Extension for reply within third Month	0
	\$1,530	\$765	Extension for reply within fourth Month	1530
<b>4. Surcharge Fee Under 37 CFR 1.16(e) or 1.492(e)</b>				
	Large Entity Fee	Small Entity Fee		
Utility	\$130	\$65		130
<b>5. Surcharge Fee Under 37 CFR 1.16(l)</b>				
	Large Entity Fee	Small Entity Fee		
Provisional	\$50	\$25		0
<b>TOTAL</b>				2,804

If any additional fee is required, the undersigned attorney hereby authorizes the Patent Office to charge such additional fee to Deposit Account 05-0649.

Respectfully submitted,

  
 Mark S. Cohen  
 Attorney for Applicant(s)  
 Registration No. 42,425

Dated: November 9, 2004

**Eitan, Pearl, Latzer & Cohen Zedek, LLP.**  
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